



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2501037
Applicant Name: Brittani Ard for Fine Structures Inc.
Address of Proposal: 6511 58th Avenue Northeast

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide two parcels into three parcels of land. Proposed parcel sizes are: A) 5,335.1 sq. ft., B) 5,334.0 sq. ft.; and C) 5,335.4 sq. ft. Existing structures are to be removed.

The following approval is required:

Short Subdivision - to subdivide two existing parcels into three parcels.
(Chapter 23.24, Seattle Municipal Code).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS
☐ DNS with conditions
☐ DNS involving non-exempt grading or demolition or involving another agency with jurisdiction

BACKGROUND DATA

Site & Area Description

This 16,004.48 square foot (sq. ft.) project site is located in a single family residential zone with a minimum lot size of 5,000 sq. ft. (SF 5000), located in the northeast area of the City of Seattle. Two parcels, addressed as 6511 58th Avenue Northeast and 6515 58th Avenue Northeast are being consolidated to create the project site. Both parcels are located on the west side of 58th Avenue Northeast. An existing single family residence resides on each parcel. The topography of the site slopes gently upwards from 58th Avenue Northeast, levels out in the middle and continues to slope

upwards towards the westernmost property line. The subject site is not located within any identified or designated Environmentally Critical Area.

58th Avenue Northeast is an unimproved street with paved roadway, gutters and no curbs or sidewalks. This street is classified as a Non-arterial street, pursuant to SMC Chapter 23.53.

Surrounding properties and blocks are also zoned SF 5000. Development in the area consists of a variety of one and two-story houses of varying age and architectural style on a variety of lot sizes, consistent with the zoning designations. The Burke Gilman Trail is directly across the street from the project site.

Proposal

The proposal is to combine two parcels in order to subdivide the two parcels of land into three lots. The proposed parcel sizes are: A) 5,335.1 sq. ft., B) 5,334 sq. ft. and C) 5,335.4 sq. ft. Each proposed lot will have direct vehicular access from 58th Avenue Northeast. Both single family residences will be removed.

No development or construction activities are associated with the current proposal. The subject of this analysis and decision is restricted to the proposed division of land.

Public Comment

This project received numerous comment letters, petitions and emails during and after the public comment period which ended April 20, 2005. The neighbors expressed opposition of the proposal and expressed their concerns regarding impacts to trees, property values, traffic congestion and safety, infrastructure, and views.

A neighbor requested to meet with the DPD Land Use Planner to discuss concerns regarding the short plat proposal. A meeting was held on July 15, 2005 in a DPD conference room. Two (2) DPD staff members (Land Use Planner and Sewer/Drainage Reviewer) facilitated the meeting and nine (9) out of the eleven (11) neighbor's invitees were in attendance. The agenda items discussed were the proposal description, short plat review criteria and an overview of the short plat process in comparison with the construction permit process. The neighbors reiterated the concerns noted above and asked additional questions centered around single family zoning code requirements. A petition signed by seventy-five (75) neighbors in opposition to this short plat proposal was delivered to the Land Use Planner at the conclusion of the meeting.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, the Director shall, after conferring with appropriate officials, use the following criteria to determine whether to grant, condition or deny a short plat:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*

Based on information provided by the applicant, referral comments from the Building Plans Examiner, the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. *Conformance to the applicable Land Use Code provisions;*

The subject property is zoned for single-family residential with a minimum lot size of 5,000 square feet. The allowed use in a single family zone is one dwelling unit per lot. Maximum lot coverage is 35%. Front yards are an average of the neighboring adjacent lots, or twenty (20) feet, which ever is less. The minimum side yard setback is five (5) feet. Minimum rear yard setback is twenty-five (25) feet or 20% of the lot depth, whichever is less. The lots created by this proposed division of land will conform to all development standards of the SF 5000 zoning district. The proposed parcels provide adequate buildable area to meet applicable setbacks, lot coverage requirements, and other Land Use Code development standards.

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

The proposed lots will have direct vehicular access to 58th Avenue Northeast, consistent with the provisions of the Code. The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and does not require an easement to provide for electrical facilities and service to the proposed lots. This short plat provides for adequate access for vehicles, utilities, and fire protection.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

This area is served with domestic water, sanitary sewer, and storm drain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The

short plat application has been reviewed by Seattle Public Utilities. It was determined that the existing water main located within the 58th Avenue Northeast is not large enough to accommodate an additional water service connection as well as maintain the existing connections associated with the original two parcels. Therefore, as required per the Water Availability Certificate issued on July 6, 2005 (WAC ID No. 2005-1003), the new water service for proposed Parcel B must come off the water main located in Northeast 65th Street.

The existing house addressed as 6511 58th Avenue Northeast is connected by means of a shared sidesewer, also serving the properties to the west addressed as 6522 and 6526 57th Avenue Northeast, to an 18" public sanitary sewer (PSS) located in 58th Avenue Northeast. The existing house addressed as 6515 58th Avenue Northeast is connected by means of a single sidesewer to the PSS. This mainline was originally constructed as a combined sewer, and as such, there are likely to be downspouts and area drains still connected to what is considered, for purposes of redevelopment, to be a sanitary sewer.

This area has been separated with the construction of a 30" public storm drain (PSD) on the far side of 58th Avenue Northeast. This mainline discharges to a Designated Receiving Water. Drainage plan review requirements will be made at the time of building permit application in accordance with any applicable stormwater ordinances in effect at that time. If the project is greater than 5000 sq. ft. of new or replaced impervious surface, a comprehensive drainage control plan, prepared in accordance with SMC 22.802.015D and 22.808.020, may be required.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed short subdivision will meet all the applicable Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. The public use and interest will be served with this proposal because additional opportunities for housing would be provided within the City limits as a result of this subdivision. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

This site is not located in any environmentally critical area as defined in SMC 25.09.240. There are no environmentally critical areas mapped or otherwise observed on the site.

6. *Is designed to maximize the retention of existing trees;*

There are eleven (11) trees located on the project site and one tree that straddles the common property line between the project site and the neighboring property (6519 58th Avenue

Northeast). Most of these trees can be preserved, depending upon the location of any future construction, the extent of the root systems and the overall health of the trees. Per the arborist report submitted July 6, 2005 and recommendations from the City Forester, two trees were identified on Parcel C as exceptional-a Pacific Yew and a Pacific Dogwood. The 21" diameter Pacific Yew located near the northwest corner of Parcel C should be preserved because of its diameter, good health and location. Conversely, the 24" diameter Pacific Dogwood located near the midway point of Parcel C's north property line would be susceptible to solar access changes and root disturbance and is not a good candidate for preservation if there is construction activity within its dripline.

The 28" diameter Deodar Cedar located near the northwest corner of Parcel B is not exceptional but is recommended to be preserved because of its diameter, location and good health.

The City Forester further recommends the large tree (48' diameter Yellow Cedar) that straddles the property line between Parcel C and the neighboring property should also be preserved and protected from any construction activity within its dripline.

Future construction will be subject to the provisions of SMC 23.44.008, 25.11.050 and 25.11.060 which sets forth tree planting and exceptional tree protection requirements on single family lots.

DECISION - SHORT SUBDIVISION

The proposed short plat is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Prior to Recording

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval and any necessary fees.

3. Insert the following on the face of the plat; "Tree preservation and planting options and landscaping requirements of Seattle Municipal Code 23.44.008 require trees for new single family development."
4. Specify the location, description and removal of all trees at least 6" in diameter measured 4.5' above the ground, with correct species per the Arborist report on the face of the plat.
5. Identify all trees (Pacific Yew, Pacific Dogwood (dependant upon the location of its dripline), Deodar Cedar and Yellow Cedar) that require tree protection per the Arborist report and the City Forester's recommendation on the face of the plat.
6. Submit a tree protection landscape plan and report by a tree professional that meets requirements per 25.11.050.B, C and D. Preliminary approval of the plan must be granted by the City of Seattle Forester prior to the recording of the plat.
7. A no-protest agreement for future improvements to 58th Avenue Northeast shall be signed and recorded with the King County Department of Records and Elections.
8. Include a side sewer easement "along-the-line as-constructed" for the benefit of the existing structures located at the properties address as 6522 and 6526 57th Avenue Northeast, across proposed Parcel A and Parcel B to the 18-inch public sanitary sewer (PSS) located in 58th Avenue Northeast.
9. Provide the following note on the face of the plat: "New water service for proposed Parcel B to come off the water main in Northeast 65th Street as required per Water Availability Certificate (WAC #2005-1003) dated July 6, 2005."

Prior to the Individual Transfer or Sale of Lots

1. Legally remove the existing structures (two single family residences) prior to sale, purchase, or other ownership transfer of any of the parcels.

After Recording and Prior to Issuance of a Building Permit

1. Attach a copy of the recorded subdivision to all future building permit application plans.
2. A no-protest agreement for future improvements to 58th Avenue Northeast shall be signed and recorded with the King County Department of Records and Elections for future construction on Parcels A, B and C.
3. Attach a copy of the approved tree protection landscape plan. Plans should meet all requirements per Arborist report. Final design must be reviewed by City of Seattle Forester prior to final approval.

Signature: (signature on file)
Tamara Garrett, Land Use Planner
Department of Planning and Development

Date: August 11, 2005

TG: ga
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